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UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF AGRICULTURAL ECONOMICS
Land Economics Division



Bulletin 40

SUMMARY OF OUTSTANDING LAWS AFFECTING LAND USE ENACTED DURING
THE PERIOD OCTOBER 1, 1937 to AUGUST 1, 1938.

(Primarily for the information of Bureau of Agricultural Economics personnel and the Farm Security Administration and collaborating offices and agencies.)

This summary comprises brief abstracts of (a) all legislation affecting land use enacted in the second session of the 75th Congress, (b) outstanding legislation affecting land use enacted by the State legislatures in session between October 1, 1937, and August 1, 1938.

This issue of the Bulletin compiles the enacted legislation since No. 29. Taken together these two give a compendium of the enacted legislation for the legislative biennium -- 1937-38.

An Index of State Legislation by States is provided, beginning at page 30. Part I is its own index of Federal legislation by subject-matter, and Part II, of State legislation by subject-matter. In cases where an item of State legislation is not found under its subject-matter heading, it may sometimes be found under another subject-matter heading if the Index of State Legislation by States is consulted.

Compiled by H. A. HOCKLEY

August 1, 1938.

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SESSIONS OF LEGISLATURES DURING 1938

Regular Sessions

	<u>Convened</u>	<u>Adjourned</u>
Kentucky	January 1	March 1
Louisiana	May 9	July 7
Massachusetts	January 5	
Mississippi	January 4	Recessed April 7, until April 15, when adjourned.
New Jersey		January 11
New York	January 5	March 19
Rhode Island	January 4	April 21
South Carolina	January 11	May 7
Virginia	January 12	March 22

Special Sessions

Arkansas	March 10	March 26
California	March 7	March 12
Georgia	January 3	February 12
Illinois	May 20	July 1
Indiana	July 6	
Kansas	February 7	March 4
Kentucky	March 2	April 1
Mississippi	July 25	
Ohio	May 16	July 8
Pennsylvania	July 25	

AGRICULTURE

New Farm Program.

S. 2787. Mr. Pope and Mr. McGill. H. R. 8505. Mr. Jones. Approved February 16, 1938, Public Law 430.

To regulate interstate and foreign commerce in cotton, wheat, corn, tobacco and rice, to maintain parity of prices, to provide an ever-normal granary and to conserve soil resources.

Title I. AMENDMENTS TO THE SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT. -- These amendments (to Sec. 8 (b) and (c), of the Soil Conservation and Domestic Allotment Act) are designed to authorize the Secretary to exercise his powers thereunder to make payments or grants-in-aid, in such ways as to carry out the declared purpose of reestablishing the ratio of farmers income to the income of other persons prevailing during the base period. New subsections are added, to provide that payments based upon soil conserving practices are to be divided between landlords, tenants, and sharecroppers, in proportion to the extent to which they respectively contribute to carrying out the practices, and that such payments be made directly to those entitled thereto. Payments to all persons are to be increased by percentages graduated to a maximum of 40, but no increase may raise the payment by more than \$200. Total payments may not exceed \$10,000. (Sec. 102). New subsections are also added to prevent landlords from reducing the number of sharecroppers or tenants so as to increase their own benefits.

Title II. ADJUSTMENT IN FREIGHT RATES, NEW USES AND MARKETS, AND DISPOSITION OF SURPLUS. -- The Secretary is authorized to make complaint to the Interstate Commerce Commission with respect to freight rates on farm products. When other persons make complaint to the Interstate Commerce Commission respecting rates on farm commodities the Secretary must be notified, and, upon application, be heard (Sec. 201). Four regional research laboratories are to be established by the Secretary for the purpose of conducting research into and developing new scientific uses and new and extended markets for farm commodities. The Secretary shall cooperate with other federal and state or private agencies and accept any voluntary services, property or funds for this purpose. The Federal Surplus Commodities Corporation is given additional life until 1942.

Title III. LOANS, PARITY PAYMENTS, CONSUMER SAFEGUARDS, AND MARKETING QUOTAS. --

A. Loans and Parity Payments. -

(1) Loans - The Commodity Credit Corporation, upon recommendation by the Secretary with the approval of the President, shall make loans on agricultural and dairy products. The amounts, terms, and conditions of loans are to be fixed by the Secre-

tary with the approval of the corporation and the President (except where specific rates, amounts and terms of loans are set forth), and may not be varied.

Wheat. Provision is made for loans on wheat in a marketing year, if on July 15 the farm price of wheat is below 52 percent of parity or if the July crop estimate is in excess of a normal year's domestic consumption and exports. Loans are then to be made to cooperators at not less than 52 percent and not more than 75 percent of parity price as of the beginning of the marketing year. Loans shall be made to noncooperators if marketing quotas are in effect for the marketing year, at rates equal to 60 percent of the rate to cooperators but only on that portion of the noncooperator's wheat which is subject to marketing quota restrictions.

Cotton. Similarly, loans are made on cotton if on August 1 the average price on the ten markets of seven-eighths Middling spot cotton is below 52 percent of parity or the August crop estimate for cotton is in excess of a normal year's domestic consumption and exports. The rates are to be not less than 52 percent and not more than 75 percent of parity price for cotton at the beginning of the marketing year. These rates apply to loans to cooperators. If marketing quotas are in effect for the marketing year, loans are to be made to noncooperators at 60 percent of the rate to cooperators, but only on the amount subject to marketing quota restrictions.

Corn. Loans are provided for corn during any marketing year when the November crop estimate is in excess of a normal year's domestic consumption and exports or if, at the beginning of the marketing year, the farm price of corn is below 75 percent of parity price. The rates of the loans are specified and range from 75 percent of parity to 52 percent of parity. In general, it can be said that the rate is lower as the supply increases. These are the rates applicable to cooperators in the commercial corn-producing area. Loans to noncooperators in the commercial corn-producing area shall be made when marketing quotas are in effect but only on corn stored under seal in compliance with the storage requirements of the act. The rate in such cases is 60 percent of the rate to cooperators. Loans shall be made to cooperators outside the commercial corn-producing area at 75 percent of the rate of loans to cooperators within the commercial corn-producing area.

General. The Secretary is given the power to modify the rate of loans on commodities of a quality above or below standard so as to reflect differences from standard.

Cooperators are producers on whose farms the acreage planted does not exceed the applicable amount under the farm acreage allotment of the marketing quota provisions. In the case of corn, a producer outside the commercial corn-producing area is a cooperator if his acreage planted to soil-depleting crops does not exceed his acreage allotment for such crops under the Soil Conservation and Domestic Allotment Act. A producer is deemed to have exceeded his acreage allotment only if he knowingly does so.

Loans are not to be made on a commodity after an adverse referendum on marketing quotas with respect to that commodity until the beginning of the second succeeding marketing year following the vote.

Provision is made under which no producer is to be personally liable for deficiencies arising out of sale of the collateral unless the loan was obtained by fraudulent misrepresentation.

The Commodity Credit Corporation is directed, with the consent of the Secretary, to utilize the service, facilities, and personnel of the Department of Agriculture in carrying out the loan provisions.

(2) Parity payments. -- If and when appropriations are made for this purpose, the Secretary is to make parity payments to producers of corn, wheat, cotton, rice, and tobacco.

Payments, if made, are to be made on the producer's normal production of the commodity in amounts which, together with the proceeds from the commodity, will provide a return as nearly equal to parity price as the funds will permit. Provision is made that the amounts apportioned to the several commodities will be allotted in proportion to the amount by which they fail to reach parity income.

B. Marketing Quotas. --

Tobacco. The Secretary is authorized to proclaim the amount of a national marketing quota in terms of the quantity of tobacco which may be marketed. This is an amount which will make available for the marketing year for which the quota is in effect a supply of tobacco equal to the reserve supply level. Within 30 days after the proclamation of a marketing quota the Secretary shall conduct a referendum upon such quota among the farmers engaged in the production of tobacco, to determine whether they are in favor of or opposed to such quota. If more than 1/3 of the voting farmers oppose the quota, it shall not become effective. The national marketing quota for tobacco (less an amount to be allotted to new farms and for increasing allotments to small farms) is to be apportioned by the Secretary among the several states on the basis of total production of tobacco in each state during the five calendar years preceding the year the quota is proclaimed (plus, in applicable years, the normal production of the acreage diverted under previous agricultural adjustment and conservation programs). Necessary adjustments are to be made for abnormal conditions of production, for small farms, and for trends in production, due consideration being given to plant diseases. The Secretary shall provide through local committees for the allotment and marketing quota for any state among the farms on which tobacco is produced, taking into consideration weather, economic, and soil conditions. (Sec. 313).

Marketing of any tobacco in excess of the marketing quota for the farm on which the tobacco in excess of the marketing for by-product uses, shall be subject to penalty of 50% of the marketing quota, to be computed at specific rates for different types of tobacco. The penalty shall be paid by the person who acquires such tobacco from the pro-

ducer but may be deducted by the buyer from the price to the producer. (Sec. 314).

Corn. Whenever the total supply of corn, as determined from available statistics on October 1, will exceed the normal supply by more than 10% marketing quotas shall be proclaimed for the commercial farm producing areas for the crop of corn grown in such area in that calendar year. Within twenty days after the date of proclaiming the marketing quota, a referendum shall be conducted among the farmers who would be subject to such quotas. If more than $\frac{1}{3}$ of the farmers voting are in opposition, the quotas shall be inoperative.

If the Secretary find that the actual production of corn in any county or other area, plus the corn stored under seal in such county or area, is less than the normal production, he shall terminate the quotas in such county or area. Acreage allotments which will produce an amount equal to the reserve supply level are to be proclaimed by the Secretary by February 1 of each year, upon a basis of the average yield during the preceding 10 years. The acreage allotments are to be apportioned among the counties in the "commercial area" on the basis of the seeded acreage of the preceding 10 years. The county allotment is to be apportioned among the farms within the county on the basis of tillable acreage, topography, type of soil, etc. The penalty provisions are similar to those for tobacco except that the amount of the penalty is 15 cents a bushel.

Wheat. The acreage allotment for wheat shall be proclaimed by the Secretary by July 15 of the preceding year. The acreage allotment for 1938 is set at 62,500,000 acres. The acreage shall be apportioned among the states, the state acreages among the counties, and the county acreages among the farms.

Whenever the total supply at the beginning of the marketing year appears to exceed the normal domestic consumption and exports more than 35%, the Secretary shall proclaim a national marketing quota in terms of a total quantity of wheat and also in terms of a marketing percentage of the national acreage allotment for the current crop. A referendum shall be conducted among farmers who will be subject to the quota to determine whether such farmers favor or oppose such quota, and, if more than $\frac{1}{3}$ of the farmers voting are in opposition, such quota, shall be suspended. A penalty of 15¢ a bushel is to be assessed for marketing wheat in excess of the farm marketing quota.

Cotton. A national allotment of cotton shall be proclaimed in terms of standard bales by the year. The national allotment is on the basis of the production of cotton during the five preceding years, with allowances for land diverted under previous agricultural adjustment and conservation programs. The Secretary then fixes acreage allotments which will, on the basis of average yield of the state, produce a number of bales equal to the state allotments. The acreage allotted

to any county shall be apportioned on the basis of the acreage planted during the five preceding years. A marketing quota for the marketing year shall be proclaimed by the Secretary and a referendum conducted. If more than $\frac{1}{3}$ of the farmers voting oppose such quotas, the Secretary shall proclaim them ineffective. Penalties of 2¢ a pound are provided for in excess cotton marketed during the first marketing year when quotas are in effect, and 3¢ a pound for that marketed during any subsequent year. Persons knowingly planting cotton on acreage in excess of a farm acreage allotment shall not be eligible for payment under the soil conservation and domestic allotment act.

Rice. A national acreage allotment of rice shall be proclaimed by the Secretary for any calendar year on the basis of the national average yield of rice for the five calendar years preceding. The allotment is designed to produce an amount of rice which, together with a carry-over, will make available not less than the normal supply. The normal acreage allotment shall be apportioned on the basis of past production, land, labor, and available equipment for the production of rice with due allowance for farms producing rice for the first time in five years. The Secretary shall also proclaim a national marketing quota provided the current marketing supply exceeds the normal supply by 10%. A referendum shall be conducted within 30 days after the marketing quota is proclaimed to determine whether the producers subject to the quota favor or oppose it. If more than $\frac{1}{3}$ of the producers voting are in opposition, the quota shall become inoperative. Producers who market rice in excess of their quota shall be subject to a penalty of 1¢ a pound for the excess so marketed.

C. Administrative Provisions. --

All acreage allotments and farm marketing quotas, in accordance with regulations of the Secretary, shall be freely available for public inspection. A review committee composed of three local farmers is created for the purpose of hearing complaints from farmers dissatisfied with marketing quotas. Appeals may be made from the review committee's decisions to the United States District Court, or to any State court of record having general jurisdiction. When the Secretary finds marketing quotas will cause subnormal supplies for the marketing year for any commodity, he shall proclaim their termination.

Beginning with the fiscal year ending June 30, 1938, there is authorized to be appropriated for each fiscal year, for administration of the bill, and for making soil conservation and other payments, such sums as Congress may determine in addition to any amount made available pursuant to Section 15 of the Soil Conservation and Domestic Allotment Act. \$5,000,000 is made available for administrative expenses incurred in carrying out Sections 7-17 of the Soil Conservation and Domestic Allotment Act, during the fiscal year ending June 30, 1938. The administrative expense for subsequent years is not to exceed 5% of the aggregate amount appropriated.

Title IV. COTTON POOL PARTICIPATION TRUST CERTIFICATES -

The Secretary of the Treasury is authorized to purchase, upon the order of the Secretary of Agriculture, pool participation trust certificates. The sum of \$1,800,000 is authorized to be appropriated for this purpose.

Title V. CROP INSURANCE - A Federal Crop Insurance Corporation is created, with a capital stock of \$100,000,000 subscribed by the United States, for the purpose of insuring producers of wheat against loss in yields due to certain unavoidable causes which are enumerated. Premiums as fixed by the corporation are to be payable either in wheat or cash on the basis of the appraised average crop loss of wheat on the insured farm for a representative period. The corporation is authorized to adjust and pay claims for losses either in wheat or cash under rules prescribed by the Board of Directors. The corporation is given the power to purchase, store or provide storage facilities for, and sell wheat, and pay any expenses incident thereto. Restrictions are placed upon the corporation's purchase and sale of wheat, to prevent the corporation from making any unnecessary purchases or sales and to prevent speculation. \$6,000,000 is authorized to be appropriated for administrative costs of the corporation for each fiscal year beginning after June 30, 1938, to be expended under the supervision of the Secretary of Agriculture.

Amendment to Farm Act.

H. B. 7836. Mr. Pierce.

Approved April 13, 1938. Public No. 482.

Amends sec. 8c, paragraphs (2) and (6) of Agricultural Adjustment Act of 1937 (U.S.C. Supp. III, 7:608c), by including, during the next 2 years, hops as a commodity to which orders under such act are applicable.

Amendments to Farm Act.

H. R. 9915. Mr. Jones.

Approved April 7, 1938. Public No. 470.

Miscellaneous amendments to the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938, among the more important of which are the following: (1) The Secretary shall allot a minimum of 5,000 acres to each State in which at least 3,500 bales of cotton were produced in any one of the five preceding years; (2) when fire or other natural cause destroys a part of a producer's 1937 cotton crop he shall receive, if otherwise eligible, cotton-price-adjustment payments at the rate of 3 cents per pound on the same percentage of his normal base production established by the Secretary as in the case of other producers; (3) payments under the Soil Conservation and Domestic Allotment Act for 1938 shall not be less than 90 percent of the rates announced by the Secretary prior to the enactment of the Agricultural Adjustment Act of 1938; (4) cotton acreage allotments for 1938 and 1939 are increased by 4 percent in those States in which the number of small farms to be granted the minimum acreage is great enough to reduce their allotments to a point where adequate allotments

cannot be made to other farms; and in addition to this increase there shall be a further increase in these years of such amount as is necessary to provide an allotment to each farm of not less than 50 percent of its acreage planted in cotton in 1937 plus its acreage diverted from cotton in 1937 under conservation programs, provided however, that a farm shall not receive under such increases an allotment in excess of 40 percent of its acreage tilled annually or in regular rotation; (5) acreage allotments for cotton shall not include in computation of diverted acreage that acreage which is devoted to sugarcane production for sugar; and proclamations made under sec. 312(a), 327, 328 and 345, prior to these amendments of the Agricultural Adjustment Act of 1933 are validated.

Amendment to Farm Act.

S. J. Res. 302.

Approved June 20, 1938. Public Res. 113.

The act amends the Farm Act of 1938 by providing that the national acreage allotment for wheat for the year 1939 shall not be less than 55,000,000 acres.

Amendments to Farm Act.

S. 3655. Mr. Barkley.

Approved March 26, 1938. Public No. 452.

Adds a new section to the Agricultural Adjustment Act of 1938 (Public 430) so as to require the Secretary of Agriculture (1) to proclaim (within 15 days of its enactment) the total supply of burley tobacco for the marketing year beginning October 1, 1937, and (2) to put into effect a national marketing quota for the year beginning October 1, 1938, which will make available a supply of tobacco equal to the reserve supply level.

Amendment to Farm Act.

S. 3949. Mrs. Caraway.

Approved May 31, 1938. Public No. 557.

The act amends the Agricultural Adjustment Act of 1938 in regard to cotton and tobacco. In regard to cotton, the act provides for ascertaining for the crop year 1938 the part of the individual farm allotment that will not be used and for apportioning such acreage as will not be planted to cotton to other farms on which for the previous year acreage was diverted under the soil conservation program, and whose allotments, in the judgment of the Secretary of Agriculture, are inadequate. The allotment to farms not entirely used for 1938 would be reduced to that extent on an acreage basis. The act would be limited in operation for the crop year 1938.

In regard to tobacco, the act increases the poundage for additional allotments for State quotas for 1938, in the case of flue-cured tobacco, from 2 percent to 4 percent. In the case of fire-cured and dark-air-cured and burley tobacco, the national quota for 1938 is increased by a number of pounds required to provide for each State in addition to the State poundage allotment a poundage not in excess of 2 percent of the

allotment which shall be apportioned in amounts which the Secretary determines to be fair and reasonable to farms in the State.

AGRICULTURAL APPROPRIATION

Appropriation for Department and Farm Credit Administration.

H. R. 10239.

Approved June 16, 1938. Public Law 644.

This appropriation act, among other items, provides for Farm Tenancy. \$25,000,000 is appropriated for farm loans under Title I of the Bankhead-Jones Act, \$5,000,000 for developing the land utilization program (Title III); and \$2,000,000 to complete Resettlement projects (Title IV, Sec. 43). To carry out the provisions of the water facilities act (Public 399-75th Congress 16 U.S.C. 590r-x) \$500,000 is made available with a limitation of \$50,000 for any one project. The Forest Service is given \$3,000,000 for the acquisition of lands for forests (16 U.S.C. 513-519, 521).

Insect Control.

H. J. Res. 591.

Approved March 2, 1938. Public Res. No. 81.

The sum of \$2,000,000 is made immediately available for expenditure under the personal supervision of the Secretary of Agriculture for the purpose of destroying harmful insects such as grasshoppers, Mormon crickets, and chinch bugs. The Secretary is authorized to refuse to expend funds until the States have provided the organization, or material and supplies necessary for cooperation.

An appropriation not to exceed \$5,000,000 to be obtained from the unexpended balance of funds appropriated for the Soil Conservation and Domestic Allotment Act, is authorized for the purpose of administering the Agricultural Adjustment Act of 1938.

BANKING AND CREDIT

Extending Interest Rates on Farm Loans.

H. R. 10530. Mr. Biermann.

Became law over President's veto June 16, 1938. Public No. 643.

Extends for 2 years (i.e. to July 1, 1940) the period during which interest on loans made through national farm loan associations or Federal land banks will be 3½ percent. No payments to Federal land banks for reimbursement for amount lost by interest reduction shall be made with respect to any period after June 30, 1940 (amending U.S.C. Supp. III, 12: 771). The rate of interest on outstanding loans made to farmers by the Land Bank Commissioner shall not exceed 4 percent per annum for all interest payable on installment dates occurring prior to July 1, 1930. (Amending U.S. Supp. III, 12:1016).

EMERGENCY RELIEF

Relief Appropriation.

H. J. Res. 679. Mr. Taylor of Colorado.

Approved June 21, 1938. Public Res. No. 122.

Work Relief and Public Works Appropriation Act of 1938.

Appropriated under Title I ("Emergency Relief Appropriation Act of 1938") the sum of \$1,712,905,000 allocated as follows: \$1,424,000,000 to the Works Progress Administration, \$75,000,000 to the National Youth Administration, \$175,000,000 to the Secretary of Agriculture for rural rehabilitation loans, \$6,000,000 to the Puerto Rico Reconstruction Administration, \$325,000 to the Bureau of Air Commerce, \$3,500,000 to the United States Employee's Compensation Commission, \$850,000 to the National Emergency Council, \$750,000 to the National Resources Committee, \$3,000,000 to the United States Employment Service, and \$19,300,000 to the departments of Justice and Treasury for administrative services. No wages on projects under this title shall be paid which are below the prevailing rate or the minimum fixed under the Fair Labor Standards Act of 1933. No wages shall be paid to any alien illegally within the United States or to any alien who has not a valid declaration of intention to become a citizen on file.

Appropriates under Title II ("Public Works Administration Appropriation Act of 1938") the sum of \$965,000,000 allocated as follows: \$200,000,000 for Federal construction projects, \$750,000,000 for grants for defraying the estimated non-recoverable portion of the costs of projects constructed for lease to public agencies, and \$15,000,000 for administrative expenses. Allows not more than \$400,000,000 from the sale of securities to be used for further loans.

Provides under Title III ("Federal Public Buildings Appropriation Act 1938") an increase from \$70,000,000 to \$130,000,000 in the amount authorized for construction of public buildings, outside the District of Columbia, and appropriates toward such purpose the sum of \$25,000,000.

Authorizes under Title IV ("Rural Electrification Act of 1938") loans not exceeding \$100,000,000 during the fiscal year ending June 30, 1938, by the Reconstruction Finance Corporation to the Administrator of Rural Electrification, and appropriates \$700,000 for administrative expenses.

Appropriates under Title V ("Price Adjustment Act of 1938") the sum of \$212,000,000 for making parity payments by the Secretary of Agriculture -- one-half to be apportioned among the commodities in accordance with the provision of the Agricultural Adjustment Act of 1933 and one-half to be apportioned among the commodities in accordance with the provisions of the Soil Conservation and Domestic Allotment Act.

Authorizes under Title VI ("United States Housing Act Amendments of 1938") the increase of outstanding bonds from \$500,000,000 to \$800,000,000 which may be issued by the United States Housing Authority to obtain funds for 60-year-low-cost-housing loans. Also authorizes contributions not exceeding \$28,000,000 annually by the Authority.

Civilian Conservation Corps.

H. B. 8099.

Approved June 25, 1938. Public No. 721.

This act reappropriates and makes available to the Civilian

Conservation Corps the unobligated balance of funds from the preceding fiscal year, and in addition, appropriates the sum of \$22,000,000 for the fiscal year ending June 30, 1939.

Of the total amount available, not less than \$30,000,000 is to be available only for pay, subsistence, clothing, transportation, and hospitalization of enrollees. No part of the amounts made available under this act is to be used for the construction of any new camp.

FEDERAL AID

Roads.

H. R. 10140. Mr. Cartwright.

Approved June 8, 1938. Public No. 584.

Amends Federal Aid Highway Act (U.S.C., title 23) mainly as follows: Authorizes \$100,000,000 for the fiscal year 1940 and \$115,000,000 for 1941 -- to be available for 1 year after close of fiscal year; unexpended balances shall be reapportioned among the States. Beginning with the fiscal year 1940, Federal aid shall be extended to the District of Columbia. Funds may be expended for roadside landscaping and sanitary facilities. Where certain States, during fiscal years 1938 and 1939, are unable to match Federal funds, although devoting all proceeds from motor-vehicle and motor-fuel taxes to highway purposes, they shall nevertheless receive their apportionments. Defines "highway" to include any portion of an interstate or international bridge the cost of which is assumed by the State Highway Department.

Authorizes additional appropriations for the fiscal years 1940 and 1941, as follows: Secondary or feeder roads, \$15,000,000 each year; elimination of grade crossings, \$20,000,000 and \$30,000,000, respectively; forest highways, roads, and trails, \$10,000,000 and \$13,000,000 respectively; roads through public lands and reservations, \$1,000,000 and \$2,000,000 respectively; roads and trails in national parks, and monuments, \$4,000,000 and \$5,000,000 respectively; approach roads to national parks, etc., \$6,000,000 and \$8,000,000 respectively; Indian reservation roads, \$2,500,000 and \$3,000,000 respectively; not to exceed \$8,000,000 shall be expended in the repair or reconstruction of highways and bridges damaged or destroyed by floods, hurricanes, earthquakes, or landslides.

Funds withheld from States as a penalty for diverting road-user taxes under 48 Stat. 995 (U.S.C. 23:55) shall be reapportioned among the several States. Hereafter the Secretary shall approve only such State plans as will secure completion and be conducive to safety, durability, and economy of maintenance. The Bureau of Public Roads is directed to submit recommendations to Congress prior to February 1, 1939, respecting the feasibility and cost of 3 transcontinental and 3 north-south super-highways, including the feasibility of a toll system.

FLOOD CONTROL

River and Harbor Projects.

H. R. 10618. Mr. Whittington.

Approved June 23, 1938. Public No. 761.

Places under the jurisdiction of the Corps of Engineers the investigations and improvements of rivers and harbors for flood control purposes. No money shall be expended on flood control projects until the United States and the States affected have acquired the necessary lands, easements, and rights-of-way (amending U.S.C. Supp. III, 33:701c). Where the construction cost of levees or flood walls can be substantially reduced by evacuation of a portion of the area to be protected, the Chief of Engineers is authorized to modify plans accordingly. Penstocks shall be installed in dams when approved by the Federal Power Commission.

The following flood control and flood protection projects are approved: The Merrimack River Basin Project, for the Connecticut River Basin (\$11,524,000), Marshy Hope Creek, Md. (\$220,000), Hudson and Mohawk Rivers (\$315,000), Ohio River Basin (\$125,000,000), Upper Mississippi River Basin (\$9,300,000), Missouri River Basin (\$9,000,000), White River Basin (\$25,000,000), Arkansas River Basin (\$23,000,000), Red River Basin (\$56,818,000), Lugert-Althaus Flood Control and Reclamation Reservoir (\$2,497,000), Lower Mississippi River (\$40,000,000), Homochitto River (\$100,000), Santa Ana River Basin (\$6,500,000), Willamette River Basin (\$11,300,000), Spokane River (\$308,000), Mill Creek, Wash. (\$1,608,000), Yakima River, Wash. (\$163,000), Tanana River and Chena Slough, Alaska (\$565,000). Authorizes the Chief of Engineers to proceed with the construction of the Morganza and Eudors floodways without delay (amending U.S.C. Supp. III, 33:702a et seq.)

Directs the Secretary of War to make 105 preliminary surveys for flood control purposes in 32 States.

In order to correlate the river improvement program of the War Department with the watershed program of the Agriculture Department, improvement works for measures of run-off, water-flow retardation, and soil-erosion prevention on watersheds of waterways shall be prosecuted by the latter Department -- \$2,000,000 annually being authorized for 5 years. Authorizes \$375,000 for the establishment by the Weather Bureau of a current information service on precipitation, flood forecasts, and flood warnings in connection with said projects. Authorizes \$375,000,000 for the flood control improvements, \$10,000,000 for the preliminary surveys for period 1939-44, and \$1,500,000 for surveys by the Federal Power Commission.

GRAZING

Leasing Taylor Grazing District Lands.

H. B. 7874. Mr. Pierce.

Approved June 23, 1938. Public Law 708.

The Secretary of the Interior is authorized to lease, for periods not exceeding 10 years, any State, county, or privately owned lands within the exterior boundaries of a Taylor Grazing District and to administer such lands under the Taylor Grazing Act. Grazing fees paid the United States shall in no case be less than the rental paid for such lands by the Federal Government.

Extending Grazing Leases.

S. 3763. Mr. Wheeler.

Approved June 25, 1938. Public Law 742.

Provides that leases for grazing and agricultural purposes shall not be for a term longer than 10 years (now 5 years) on the public lands donated to North Dakota, South Dakota, Montana, and Washington for educational purposes upon being admitted into the Union (amending 25 Stat. 679, sec. 11).

Leases for Grazing on Indian Lands.

S. 1945.

Approved April 4, 1938. Public No. 459.

This act provides that lands which have been withdrawn or otherwise acquired in connection with irrigation projects for the benefit in whole or in part of Indians may be leased for agricultural, grazing, or other purposes under the direction of the Secretary of the Interior. No such lands, however, shall be eligible for benefit payments under the crop control program, or the Soil Conservation Act.

Such concessions may be granted, subject to regulations and laws governing the public domain, for such considerations and for such periods of time as the Secretary of the Interior may deem proper, but no such period of time shall exceed 10 years. Funds derived from such concessions shall be available for expenditure in connection with the particular irrigation project from which obtained, except when obtained from reserves of lands for which an Indian tribe has not been compensated. In the latter case, such funds shall be deposited to the credit of the proper tribe.

HYDRO-ELECTRIC DEVELOPMENT

Completion of Fort Peck Project.

S. 2650. Mr. Wheeler.

Approved May 18, 1938. Public Law 529.

To provide for the completion of the Fort Peck Dam, Montana, and a hydro-electric power plant appurtenant thereto, and its operation under direction of Secretary of War as an improvement of navigation. He shall install machinery to generate maximum power, the surplus to be delivered to the Bureau of Reclamation. The Bureau shall make temporary arrangements for sale and disposition of electric energy, and may construct transmission lines in order to prevent monopolization and to encourage widest possible use of energy. Preference shall be given to public bodies and cooperatives. The Bureau shall fix rates with a view to encouraging widest possible diversified use of electricity (based on cost of project property allocable to hydro-electric development). Out of receipts therefrom, a \$500,000 revolving fund shall be set up in the Treasury.

Sale of Hydro-Electric Power on Uncompahgre Project.

H. B. 7764.

Approved June 22, 1938. Public Law 698.

To authorize the sale of surplus power developed under the

Uncompahgre Valley reclamation project, Colorado.

INDIAN LANDS

Payment in Lieu of Allotments.

H. R. 5974.

Approved June 1, 1938. Public Law 572.

To authorize payments in lieu of allotments to certain Indians of the Klamath Indian Reservation in the State of Oregon, and to regulate inheritance of restricted property within the Klamath Reservation.

INTERSTATE COMPACTS

Red River of the North Compact.

S. 1570. Mr. Frazier.

Approved April 2, 1938. Public No. 456.

Grants the consent of Congress to a compact between Minnesota, South Dakota, and North Dakota with respect to the utilization and control of the waters of the Red River of the North and its tributaries.

IRRIGATION AND RECLAMATION

Payments on United States Lands.

S. 3426.

Approved June 20, 1938. Public Law No. 675.

To authorize an appropriation for repaying to the Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, the share of the said district's construction and operation and maintenance costs applicable to certain properties owned by the United States, in Sernalillo County, New Mexico, within the exterior boundaries of the district; to authorize the Secretary of the Interior to contract with said district for future operation and maintenance charges against said lands; to authorize appropriation for construction expenditures benefiting certain acquired lands of Pueblo Indians of the State of New Mexico.

Concessions on United States Lands.

S. 1945. Mr. Thomas of Oklahoma.

Approved April 4, 1938. Public No. 459.

The Secretary of the Interior may, for such consideration as he deems proper, grant concessions (limited to 10 years) on lands withdrawn in connection with the San Carlos, Fort Hall, Flathead and Duck Valley or Western Shoshone Indian irrigation projects, or lease such lands for agricultural, grazing, or other purposes -- but in case of lands of tribes organized under the act of June 18, 1934, leases, etc., shall be made by the proper tribal authorities. Funds derived are to be available for maintenance of the irrigation projects except that if the proper tribe has not been compensated for the lands so reserved and leased, the proceeds are to be credited to it.

PUBLIC LANDS

Abating Homestead Requirements.

S. 1750. Mr. Hatch.

Approved March 31, 1938. Public Law 454.

The cultivation requirements of the homestead laws shall not be applicable to entries existing on August 29, 1935, and made after February 5, 1935, if based upon application made prior thereto (amending 43 U.S.C. 237d).

Settlement on Small Tracts.

H. R. 8008. Mr. Izac.

Approved June 1, 1938. Public Law 577.

Authorizes the Secretary of Interior to sell or lease to heads of families or persons over 21 years old (citizens or declarants) not exceeding 5 acres of any vacant public land which he may classify as chiefly valuable as home, cabin, camp, health, convalescent, recreational, or business site. Sale shall be at a price determined by the Secretary but not less than cost of survey. Oil, gas, and mineral rights shall be reserved and not more than one tract shall be sold to any one person except on a showing of good faith and reasons satisfactory to the Secretary. This act shall not apply to Alaska.

II. STATE LEGISLATION CLASSIFIED BY SUBJECT-MATTER

AGRICULTURE

Public Financing of Agricultural Processing Plants.

Louisiana. H. B. 667.

Approved July 6, 1938. Laws 1938, Act 392.

Proposing an amendment to the Constitution (Article XIV) authorizing Police Juries to incur debt and issue bonds for the establishment and maintenance of industrial plants for for the conversion or processing of farm or agricultural products.

Lands for Agricultural Experimentation.

Mississippi. H. B. 82.

Approved February 2, 1938.

To authorize Jackson County to purchase from the State, by payment of accrued taxes, certain lands forfeited to the State for nonpayment of taxes: such lands to be used for agricultural experimental purposes, and remain subject to real property taxation.

Establishing Chemurgic Laboratory Commission

Mississippi. S. B. 469.

Approved March 25, 1938.

To create a State Chemurgic Laboratory Commission (composed of the Governor, Attorney General and Commissioner of Agriculture) for the purpose of acquiring, transferring or designat-

ing the lands necessary for the construction of the Federal Research Laboratory and to pay to the Secretary of Agriculture of the United States a sum not exceeding \$500,000 upon assurance that such laboratory will be established in Mississippi.

Financing Chemurgic Laboratory.

Mississippi. S. B. 470.

Approved March 25, 1938.

To appropriate \$500,000 to be paid by the Chemurgic Laboratory Commission to the Secretary of Agriculture of the United States for the purpose of securing the location within the state of the Southern Regional Farm Products Utilization Laboratory.

Financing Farm Products Laboratory.

Mississippi. S. B. 468.

Approved March 25, 1938.

To authorize political subdivisions to issue bonds to finance aid to the Secretary of Agriculture of the United States for the purpose of securing the location and construction of buildings and equipment for the Southern Regional Farm Products Utilization Laboratory.

Establishing Agricultural Authority.

Wisconsin. S. B. 4-X. 1st Special Session.

Approved October 15, 1937. Ch. 4 Laws 1937.

To create the Wisconsin Agricultural Authority whose duty it shall be to promote the improvement of the processing, marketing, advertising and quality standards of agricultural products.

GOVERNMENT ORGANIZATION

Creating a Department of Taxation.

Georgia. H. B. 27-X. (Special Session).

Approved February 3, 1938. Ch. No. 296.

To create a Department of Taxation under the direction of a State Tax Commissioner for the purpose of reorganizing the tax administration of the state. A State Board of Tax Appeals is also created for the purpose of reviewing assessments and equalizing orders of the Commissioner.

Reorganizing State Tax Commission.

Mississippi. H. B. 735.

Approved March 29, 1938.

To organize the State Tax Commission by enlarging and increasing the duties of the Associate Commissioners and transferring certain functions from the Associate Commissioners to the Ad Valorem and Excise Commissioners for the purpose of assuring greater efficiency of administration.

LAND USE

Soil Conservation Act.

California. S. B. 31-X.

Approved March 29, 1938. Special Session Laws 1938, Ch. 7.

To authorize the creation of Soil Conservation Districts for the purpose of engaging in conserving soil resources and preventing and controlling soil erosion. This bill substantially follows the provisions of the Standard State Soil Conservation Districts Act prepared by the Department of Agriculture.

Soil Conservation Act.

Louisiana. S. B. 123.

Approved July 6, 1938. Laws 1938, Act 370.

To authorize the formation of Soil Conservation Districts for the purpose of engaging in conserving soil resources and preventing and controlling soil erosion. This law is similar to the Standard State Soil Conservation Act of the Department of Agriculture.

Soil Conservation Act.

Mississippi. H. B. 454.

Approved April 5, 1938.

To authorize the creation of soil conservation districts for the purpose of engaging in conserving soil resources and preventing and controlling soil erosion. This law is similar to the Standard Soil Conservation Act of the Department of Agriculture.

County Soil Erosion Work.

Mississippi. H. B. 812.

Approved April 7, 1938.

To encourage and assist land owners to terrace and ditch their agricultural lands properly and cooperate with the Federal Government in soil erosion work. The State Forester, Director of Experiment Station and Director of Extension Service, shall, upon written application of the owners of land aggregating 7500 acres, appoint a soil erosion committee for the county. This committee shall cooperate with the county agent in soil erosion activity within the county, and with all agencies of the state or Federal Government engaged in the prevention of soil erosion; recommend to the Board of Supervisors the purchase of proper machinery and supplies for ditching and terracing; approve contracts or agreements by the Board of Supervisors for the labor to operate such machinery; approve the costs to landowners for the work performed and supervise such performance; and make recommendations to the Board of Supervisors of necessary taxes to maintain a soil erosion fund to finance such operations. Contracts for work on lands may not be approved or performed unless taxes are paid up to date. Provision is made that in the event the Board of Supervisors fail to advertise for bids to purchase machinery the committee may call a special election; and a favorable vote would be a mandate for the Board to proceed. Costs of performing soil erosion work are to be assessed against the property as an improvement tax. This act applies to Attala, Carroll, Claiborne, Clay, Copiah, Forrest, Franklin, George, Greene, Grenada, Hancock, Harrison, Holmes, Humphreys, Itawamba,

Jackson, Kompor, Lamar, Leake, Lee, Madison, Monroe, Neshoba, Oktibbeha, Pearl River, Pike, Prentiss, Rankin, Scott, Stone, Tishomingo, Union, Warren and Webster Counties.

County Soil Erosion Work.

Tennessee. H. B. 74. Second Special Session.
Approved October 29, 1937.

To authorize the organization of County Soil Conservation Associations comprised of landowners, and incorporated under the Cooperative Marketing Act (1923), for the purpose of increasing soil fertility and preventing erosion. Such Associations shall petition the County Court to purchase terracing equipment for use by members of the Association and, upon agreement to reimburse, the County Court shall make such purchase. The Agricultural Extension Service shall assist whenever possible in organizing and encouraging the Associations.

County Soil Erosion Work.

Tennessee. S. B. 42. Third Special Session.
Approved November 17, 1937. Ch. 5, Public Acts 1937.

To amend the County Soil Conservation Association Act (Ch. 5, Public Acts 1937, Second Special Session) to provide for the acquisition of lime for use in soil conservation practices.

Outdoor Advertising Regulation.

Virginia. H. B. 83.
Approved March 31, 1938.

To license and regulate the location of outdoor advertising signs outside the limits of cities and towns. The Highway Commissioner shall issue annual licenses upon payment of fees and in accordance with necessary rules and regulations which he may prescribe.

Road Improvement.

Virginia. S. B. 127.
Approved March 12, 1938.

To require the State Highway Commission in its improvement of highways to make suitable connections at points of intersection so as to provide safe and convenient means of ingress and egress to the highways by the users of private roads. Entrances destroyed in the process of repair and construction are to be restored to the same condition as prior to improvement.

Highway Improvement.

Mississippi. S. B. 150.
Approved March 22, 1938.

To improve the primary and secondary highways of the state by establishing a priority list of the roads to be improved. A bond issue is to be authorized to finance such improvements.

Cooperation with Federal Government on Secondary Roads.

Georgia. (Special Session) H. B. 242-X.

Approved February 16, 1938, Ch. 410.

To authorize the State Highway Board to use funds available to them for the purpose of matching Federal funds made available for building, improving, and constructing rural post roads, farm-to-market roads, or secondary roads.

Insect Eradication.

Georgia. (Special Session). F. B. 260-X.

Approved February 16, 1938. Ch. 397.

To appropriate \$100,000 for the next biennium for use in the prevention, control, and eradication of dangerous insects and plant diseases and for research relative to such insects and diseases.

Slum Clearance.

Louisiana. H. B. 342.

Approved July 6, 1938. Laws 1938, Act 275.

To authorize cities to adopt ordinances relating to the remedying and elimination of dwellings unfit for human habitation.

PLANNING AND ZONING

Creating State Planning Board.

South Carolina. S. B. 810.

Approved March 12, Laws 1938, Ch. 851.

To create a State Planning Board of nine members (three to be appointed by the Governor, three elected by the Senate and three elected by the House) for the purpose of planning and accomplishing a coordinated, efficient and economic development of the State. It is required to make investigations as requested by the Governor or legislature, make recommendations for the coordination of research and developing agencies, cooperate with federal, state and local planning agencies, and promote interest in planning. State agencies are directed to make available any information for the use of the Board.

Creating State Planning Board.

Virginia. H. B. 110.

Approved March 8, 1938.

To create a State Planning Board of 12 members (eight to be chosen from administrative departments, one from the agriculture department of Virginia Polytechnic Institute and three citizens not holding any state office), appointed by the Governor. The Board shall collect and correlate information relating to the development of the state and the conservation of its human and other natural resources. The Board shall also prepare a synopsis of planning work already accomplished in the State, including reports and plans of federal, state and local agencies. It shall advise with State departments to coordinate all development plans, make plans for a State land utilization program, encourage and aid in the organizing of local and regional planning boards,

and cooperate with local, federal and other state planning agencies.

State Conservation Survey.

Massachusetts. H. B. 1944.

Approved June 22, 1938. Laws 1938, Ch. Res. 63.

To create a Special commission to study the subject of conservation, including state parks and recreation, wild life and natural resources. A report is to be made to the legislature by December 31, 1938.

Highways Study and Investigation.

Virginia. S. J. R. 14.

Adopted March 6, 1938.

To create a commission to make a study of primary and secondary highways systems of the state, in cooperation with the State Highway Commission, Citizens Road League, State Board of Education, State Planning Board and Federal agencies. The Commission shall ascertain the uncompleted mileage of primary highways, the money necessary to bring such highways to required standards, necessary reorganization of highways, approximate amount of money available annually for construction, the most effective means of promoting safety and any other material useful in developing a systematic highway plan. A report is to be made to the Governor and assembly sixty days before the next regular session of the legislature.

Urban Planning and Zoning.

Kentucky. H. B. 66.

Approved March 10, 1933.

To enable cities of the third, fourth, fifth and sixth classes to create planning commissions empowered to plan for municipal development, including areas outside their boundaries which bear relation to municipal planning. These Commissions shall also act as zoning commissions (sec. 11). They shall have jurisdiction to approve all subdivision plats on all lands within five miles of the municipal boundary lines. Regional Planning Commissions may be formed upon petition to the Governor and after hearings thereon.

Municipal Zoning Enabling Act.

Mississippi. H. B. 30.

Approved February 24, 1938.

To empower municipalities having a population of over 1500 to enact and enforce zoning ordinances.

County Zoning Enabling Act.

Georgia. H. B. 305-X. Special Session.

Approved January 26, 1938.

Empowers the county boards of the three coastal counties of Chatham, Bryan and Liberty to adopt and enforce zoning regulations along the state highways, in a strip 400 feet wide. The subjects of regulation are declared to be "the height

number of stories, and the size of buildings and other structures, the percentage of lots which may be occupied, the size of yards, courts and other open spaces, the density of population, industry, residence, recreation, agriculture, grazing, water supply, conservation, forestry or other purposes." In addition to the usual provisions of an enabling act, specific authorization and procedure is provided for zoning according to a regional plan, and for coordination with the zoning activities of Glynn County, which operates under a separate act.

County Zoning Enabling Act - Glynn County.

Georgia. H. B. 37-X. (Special Session).

Approved December 6, 1937. Governor's No. 5.

To empower the Commissioners of Roads and Revenues of Glynn County to adopt and enforce zoning ordinances in the unincorporated portions of the county. The county may regulate for "recreation, public activities or other purposes, the use and conditions of use or occupancy of land for...agriculture, grazing, water supply conservation, soil conservation, forestry or other purposes." The method of procedure is set forth in some detail; and provisions are made for the various items considered necessary or desirable for zoning, such as a board of adjustment, stipulations relating to the control of nonconforming uses (including the devising of reasonable methods for their liquidation), and cooperation with state and federal agencies and with other counties. A planning commission is designated both to act as zoning commission and to carry out the usual planning functions. One section (#11) provides for control over subdivision plans.

County Zoning Enabling Act - Cobb County.

Georgia. H. B. 187-X. (Special Session)

Approved December 29, 1937. Governor's No. 108.

To authorize the commissioner of Roads and Revenues of Cobb County to pass and enforce zoning and planning ordinances in the unincorporated territory of the county. A procedure is established for making surveys and for the publication of maps prior to the taking effect of ordinances.

County Zoning Enabling Act.

Georgia. H. B. 287-X. (Special Session).

Approved January 10, 1938. Ch. 133.

To authorize counties having a population between 70,000 and 75,000 inhabitants to pass zoning and planning ordinances. The county may be zoned or districted for various uses and the uses regulated: Provided no zone or district may be created without the consent of 51% of the owners of property within the zone.

County Zoning Enabling Act.

Virginia. H. B. 189.

Approved April 1, 1938.

To enable the boards of supervisors or other governing bodies of the various counties of the state to adopt and

enforce zoning regulations in the unincorporated portions thereof for the purpose of controlling residence, agriculture, forestry, trade, and the size, height, etc., of buildings. The powers granted by this act may be exercised by any county only after the appointment of a county planning commission authorized by Chapter 427 of the Laws of 1936; and such planning commission is designated to serve as zoning commission. The establishment, composition and specific powers of the board of appeals is discretionary. Further authority is given to appoint a special zoning enforcing officer. It is provided that the discontinuance of a non-conforming use entails the immediate loss of the right to non-conformance.

PUBLIC FINANCE

Diversion of Revenue for Free Textbooks.

Georgia. (Special Session). H. B. 229-X.

Approved January 17, 1938. Ch. 180.

To amend section 10 of the Malt Beverage Act (Laws 1935, page 73) which provides for the distribution of the revenue derived from the sale of malt beverages for the purpose of supplying free textbooks to children attending the common schools. When such revenue exceeds the amounts necessary to purchase such text books the excess may be used by the State Board of Education for other school purposes.

Refunding Levee Bonds.

Louisiana. H. B. 577.

Approved July 6, 1938. Laws 1938, Act 333.

To authorize the issuance of refunding bonds of levee districts for the purpose of paying, refunding or refinancing the principal and interest of any valid outstanding bonds, notes or certificates of indebtedness.

Appropriation for Public Schools.

New Jersey. S. B. 17.

Approved February 2, 1938. Laws 1938, Ch. 5.

To appropriate \$1,706,811.44 for the support of free public schools. This sum is appropriated in order that all school districts shall receive from State apportionments for the school year 1937-38 the quotas prescribed by law (sec. 18:10-22 et seq. Rev. Stats.) and an amount equivalent to three cents for each day of school attendance.

Issuance of Tax Anticipation Warrants.

Ohio. S. B. 498-XXX.

Approved July 11, 1938.

To amend the law (Code Sec. 2293-43a) relative to the issuance of bonds or notes by political subdivisions, to authorize the issuance and sale of tax anticipation notes for a limited amount under the supervision of the State Tax Commission.

R. F. C. Loans for Reclamation Districts.

Texas. H. B. 70. Second Special Session.

Approved October 27, 1937.

To validate the conversion of drainage districts into conservation and reclamation districts to operate under Section 20, Article XVI, of the Constitution. Such districts are authorized to borrow money from the R.F.C. for refunding purposes and to levy taxes in payment thereof.

Regulations for Expending School Funds.

Texas. H. B. 133. Second Special Session.

Approved October 29, 1937.

To amend the State School Aid Act, (S.B. 185, approved June 9, 1937), for the addition of certain conditions and regulations concerning the expenditure of such funds.

PUBLIC LANDS AND FORESTS

Homestead Settlement of Tax Reverted Lands.

Louisiana. H. B. 193.

Approved July 6, 1938. Laws 1938, Act 235.

To provide homesteads for actual settlers upon lands adjudicated to the State for unpaid taxes. Heads of families or any citizen 21 years of age may make a homestead entry upon payment of \$5.00 and taxes for the year for which adjudicated to the State on not exceeding a quarter section of such land for the purpose of settlement and cultivation. Such persons may not already own more than 160 acres of land.

Adjudicating Boundaries Between Public and Private Lands.

Louisiana. H. B. 576.

Approved July 6, 1938. Laws 1938, Act 332.

To provide an additional method for determining boundaries between state and private lands, providing for the recording of an amicable settlement. If no amicable agreement can be reached, two commissioners appointed by and representing each shall select a fifth and as a board, hold hearings and make findings of fact upon which an agreement may be made.

Waiving Liens on Sixteenth Section Lands.

Mississippi. H. B. 130.

Approved February 8, 1938.

To amend the law (Laws 1935 Extra Session Ch. 58) relating to the lease of Sixteenth Section Agricultural Lands by authorizing the Superintendents of Education of the various counties in the State to waive the lien for rent on agricultural products grown on such lands during the years 1938 and 1939.

Conservation Project.

Mississippi. S. B. 464.

Approved April 7, 1938.

To authorize the State College to lease from the United States a tract (approximately 89,000 acres) of submarginal land as a conservation project. A commission is created under

the general supervision of the Board of Trustees of the Institute of Higher Learning (President of the State College, Director of Extension, Director of Experiment Stations) to supervise the use of the land. A stock farm is to be established to breed and grow improved strains of cattle, surpluses to be sold to farmers at cost. Experiments in forestry and soil conservation work are to be conducted. The Commission is to cooperate with State and Federal agencies in any phase of its activities.

Administration of Tax Reverted Lands.

South Carolina. H. B. 1661.

Approved March 31, 1938.

To direct the sheriff of Aiken County to convey by fee title all tax forfeited lands of record, now or hereafter, to the delinquent tax payer. The lands transferred shall be transferred for 25 years to the County Forest Protective Association which shall enter into cooperative administrative agreement with the State Commissioner of Forestry. An annual county appropriation of \$2500 plus 5¢ for each acre over 50,000 is to be made available to the Commission for administrative purposes.

County Forest Conservation -- Horry County.

South Carolina. H. B. 1633.

Approved May 9, 1938. Laws 1938, Act 1293.

To provide for the formation and management of county Forest Fire Control Organizations for the systematic care and management of forests and wild areas and the promotion of reforestation on denuded and submarginal areas in Horry County.

Forest Conservation -- Darlington County.

South Carolina. H. B. 1713. Mr. Abbott.

Approved March 5, 1938. Ch. 808 as amended by Act 985.

To provide for the formation and management of a County Forestry Board in Darlington County, in order to provide for the systematic care and management of forests and wild land areas, and to promote reforestation on denuded, understocked and submarginal areas within the county.

Forest Conservation -- York County.

South Carolina. H. B. 1957.

Approved March 28, 1938.

To provide for the formation and management of a County Forest Fire Control Organization for the purpose of providing for the protection of forest lands, promoting reforestation on denuded and understocked and submarginal areas, and aiding in the enforcement of all laws pertaining to forests in York County.

Forest Conservation -- Chester County.

South Carolina. H. B. 2189.

Approved May 11, 1938. Laws 1938, Act 1336.

To provide for the formation and management of a County Forest Fire Control Organization for the systematic care and management of forests and wild areas in Chester County, and promotion of reforestation on denuded and submarginal areas.

Forest Conservation -- Charleston County.

South Carolina. H. B. 2197.

Approved April 8, 1938.

To provide for the formation and management of a County Forest Fire Control Organization for the purpose of providing for the protection of forest lands, promoting reforestation on denuded and understocked and submarginal areas; and aiding in the enforcement of laws pertaining to forestry, in Charleston County.

Forest Conservation -- Lancaster County.

South Carolina. H. B. 2291.

Approved May 6, 1938. Laws 1938, Act 1272.

To provide for the formation and management of a county forest Fire Control Organization for the systematic care and management of forests and wild areas in Lancaster County, and promotion of reforestation on denuded and submarginal areas.

Forest Conservation -- Fairfield County.

South Carolina. S. B. 1277.

Approved May 9, 1938. Laws 1938, Act 1358.

To provide for the formation and the management of a County Forest Fire Control Organization for the systematic care and management of forests and wild areas, and the promotion of reforestation on denuded and submarginal areas in Fairfield County.

Reclamation and Forest Conservation.

Texas. H. B. 38. Second Special Session.

Approved November 2, 1937.

To amend the Nueces River Conservation and Reclamation District Act (Ch. 427 Second Special Session of 1935) to add to the powers of the District by enabling it to control, preserve and store the water of the Nueces River, practice forest conservation, and perform all necessary functions to carry out the purpose of the Act.

REAL PROPERTY

Ejectment of Sharecroppers.

Louisiana. H. B. 414.

Approved July 6, 1938. Laws 1938, Act 298.

To establish procedure whereby landowners may obtain ejectment of sharecroppers, half hands, and day laborers where the purpose of such occupancy has terminated.

Licensing Real Estate Brokers and Salesmen.

Kentucky. H. B. 114.

Approved March 10, 1938.

To regulate and license real estate brokers and salesmen in cities of the first and second classes. A State Real Estate Commission is created to issue licenses to qualified applicants and administer the provisions of the Act.

Debt Moratorium.

Louisiana. H. B. 92.

Approved July 2, 1938. Laws 1938, Act 126.

To declare a debt moratorium. The State Bank Commissioner is designated as Debt Moratorium Commissioner who shall have authority to suspend laws relative to the enforcement of any debt (not including taxes) not beyond August 1940. Creditors and debtors may apply to the Commissioner for any hearing on the suspension of collection procedure or any debt and confirm any agreement or settlement. Provision is made for appeals to courts of competent jurisdiction.

TAXATION

State Tax Study.

Ohio. S. B. 414-XX.

Approved February 14, 1938.

To provide for the creation of a tax and revenue commission for the purpose of inquiring into the tax and revenue situation and the methods of procedure in other States in levying and collecting taxes. It shall determine upon the most equitable, just and productive forms of taxation suitable to Ohio, prepare a report with recommendations, and submit a draft of proposed legislation deemed necessary to carry out its recommendations. The Commission shall complete its work and submit its report with proposed legislation to the Governor and legislature by December 15, 1938. The sum of \$50,000 is appropriated to finance the study.

State Delinquent Tax Study.

Ohio. S. B. 420-XX.

Approved February 14, 1938.

To create a commission for the purpose of making a study and survey of the delinquent tax situation in the State. The Commission is to study the causes of present delinquency, and the abuses in the assessment privileges of political subdivisions, and to prepare and recommend legislation designed to secure prompt liquidation of present delinquencies and prevent future accumulation of delinquent taxes. Report shall be made as soon as possible, but not later than December 31, 1939. \$17,000 is appropriated to cover the expenses of the Commission.

State Tax Study.

New Jersey. S. B. 339.

Approved April 4, 1938. Laws 1938, Ch. 95.

To create a commission of sixteen members (including President, Board of Tax Appeals, Tax Commissioner, State Treasurer, State Auditor, State Comptroller, Commissioner of

Education, member State League of Municipalities, three Senators, three Representatives and three appointees of the Governor) to study the problem of taxation and the laws relating to the assessment and collection of taxes for the purpose of determining in what respects existing tax laws may most effectively be simplified, modified, restated and revised to insure greater efficiency in the assessment and collection of all taxes with a resulting diminution of the increasing accumulation of municipal liens. The Commission is directed to report to the legislature and submit drafts of legislation to carry out its recommendations. (S.J.R. 1, similar to this act, was not adopted as erroneously reported in Bulletin 25, on page 5).

Homestead Tax Exemption

Georgia. S. B. 2-X. (Special Session*
Approved December 16, 1937. Governor's No. 36.

To exempt homesteads from taxation to the value of \$2,000 when occupied by the owner.

Tax Exemptions for Housing Authorities.

Illinois. S. B. 38-X.

Law without approval July 12, 1938.

To amend the tax exemption statutes to add other types of property to which exemptions may be applied including the property of housing authorities.

Tax Exemptions.

Louisiana. H. B. 55.

Approved June 30, 1938. Laws 1938, Act 38.

Proposing an amendment to the constitution (Art. IX, Sec. 4) exempting new homes from taxation.

"There shall be exempt from all taxes, for the three calendar years succeeding their completion, new homes or improvements built, made or purchased after January 1, 1938, upon the homestead, bona fide owned and occupied by every head of a family, or person having a mother or father or a person or persons dependent on him for support. The exemption granted by this paragraph upon the bona fide homestead occupied by the head of a family, whether the title thereto be in the husband or the wife, mother or other person or persons dependent upon him for support; but in no event, shall said exemption from taxation extend to more than one home or improvements located on one homestead. The benefit of such exemption shall extend to the surviving spouse of minor childred of a deceased head of a family.

"Provided, however, that there shall be no such exemption from taxation, in any case, unless the prevailing rate of wages in the locality, shall have been paid in the construction of the new home or improvements, and nothing but American made materials have been used in such construction. All facts with reference to said exemption shall be conclusively determined by the Louisiana Tax Commission."

Tax Prescription Period.

Louisiana. H. B. 50.

Approved June 30, 1938. Laws 1938, Act 36.

Proposing an amendment to the constitution (Art. XIX, Sec. 19) to provide a period of prescription for taxes.

".....No mortgage or privilege on immovable property, or debt for which preference may be granted by law, shall affect third persons unless recorded or registered in the parish where the property is situated, in the manner and within the time proscribed by law, except privileges for expenses of last illness, privileges arising upon the death of the owner of the property affected, and privileges for taxes, State, parish and municipal; provided such tax liens, mortgages and privileges shall lapse in three years from the 31st day of December in the year in which the taxes are due, and such liens are now or hereafter recorded; and provided, further, that all taxes and licenses, other than real property taxes, shall prescribe in three years from the 31st day of December in the year in which such taxes or licenses are due....."

Tax Moratorium.

Louisiana. H. C. R. 3.

Approved July 6, 1938. Laws 1938, Act 399.

To carry out the recently adopted constitutional amendment providing for the postponement of the collection of taxes by the enforced sale of property by reason of general crop destruction. The postponement is authorized to October 15 and the Governor directed to determine the parishes wherein crop destruction occurred and authorize application of the moratorium.

Extension of Time for Payment of Taxes.

South Carolina. H. B. 1790.

Approved March 30, 1938. H. B. 1790.

To authorize the extension of time for payment of all taxes for 1937 until April 30 without increasing penalties beyond the 4% penalty effective March 1, 1938. An additional penalty shall accrue May 1.

Delinquent Tax Collection Procedure.

Louisiana. H. B. 3.

Approved June 30, 1938. Laws 1938, Act 47.

To establish procedures for the collection of delinquent taxes in installments.

Payments in Lieu of Taxes.

Mississippi. S. B. 134.

Approved March 23, 1938.

To authorize the State Tax Commission to negotiate an agreement with the United States for payments of sums in lieu of taxes on lands in the State acquired by the United States for rural rehabilitation or resettlement project. (Cooperation with United States under public law 845-74th Congress, 40

U. S. C. A. par. 432).

Payments in Lieu of Taxes.

Louisiana. H. B. 18.

Approved July 6, 1938. Laws 1938, Act 356.

To authorize the Louisiana Tax Commission to negotiate an agreement with the United States for payment of agreed sums of money in lieu of taxes on any lands in the state acquired by the United States for rural rehabilitation or resettlement project. (see H. B. 341, Act 274, below).

Payments in Lieu of Taxes.

Louisiana. H. B. 341.

Approved July 6, 1938. Laws 1938, Act 274.

To authorize the Governor to negotiate agreements with the United States for the payment of sums in lieu of taxes on lands in Louisiana acquired by the United States for rural rehabilitation or resettlement. (See Public 845-74th Congress Title 40 U.S.C.). The Governor may appoint a person or commission to act as his agent. (See also H. B. 18, Act 356 above).

Tax to Support Agricultural Agents.

Georgia. (Special Session). H. B. 322-X. Mr. Pound.

Approved December 24, 1937. Governor's No. 74.

To authorize the governing bodies of counties employing agricultural agents to levy a tax for the purpose of paying such county agricultural agents, such tax not to exceed \$1.00 for each thousand dollars worth of taxable property.

Taxes for Benefit of Vocational Education.

South Carolina. H. B. 1632. Pickens Delegation.

Approved February 18, 1938. Act 754, Laws 1938.

To levy a tax of $1\frac{1}{2}$ mills upon all the taxable property in Pickens County for the fiscal year beginning January 1, 1938, the proceeds of which are to be expended for aid to high schools and for vocational purposes. The tax shall be levied and collected as provided for other taxes.

Severance Tax.

Louisiana. H. B. 654.

Approved July 6, 1938. Laws 1938, Act 395.

Proposing an amendment to Section 21 of Article X of the Constitution relative to the levying of severance taxes on the natural resources severed from the soil or water.

WATER

Creating Irrigation Districts.

Louisiana. H. B. 679.

Approved July 7, 1938. Laws 1938, Act 415.

To authorize the creation of Irrigation Districts for the purpose of conserving water. The Police Juries are required to create such districts upon proper petition. A board of five com-

missioners is to be appointed by the Police Juries, to govern the district which shall have power to conserve the fresh water supply of this state, to provide water for irrigation and other uses, and perform all acts necessary to construct, acquire, maintain and operate dikes and reservoirs.

Hydro-Electric Power Development.

South Carolina. H. B. 1933.

Approved May 12, 1933. Laws 1933, Act 1365.

To create the Orangeburg-Aiken Hydro-Electric Commission to investigate the establishment of a hydro-electric plant on the Edisto River. If the Commission deem the project feasible it is authorized to construct the necessary works and issue bonds to finance it.

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